

Application No.: 09/836,627  
Atty. Dkt. No: 6514-11-BHJ

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Robert A. Scott et al.

Title: ENTERIC AND COLONIC  
DELIVERY USING HPMC  
CAPSULES

Appl. No.: 09/836,627

Filing Date: 04/17/2001

Examiner: Liliana Di Nola-Baron

Art Unit: 1615

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| <b>CERTIFICATE OF FACSIMILE TRANSMISSION</b>  |  |
| I hereby certify that this paper is being facsimile transmitted to the<br>United States Patent and Trademark Office, Alexandria, VA. at Fax<br>Number (703) 872-9306 on the date below. |  |
| <u>Kenneth G. Lemke</u><br>(Printed Name)   |  |
| <u>Kenneth G. Lemke</u><br>(Signature)  |  |
| June 4, 2004<br>(Date of Deposit)   |  |

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**RESPONSE UNDER 37 C.F.R. §§ 1.111 and 1.114**

On January 6, 2004, Applicants filed a Notice of Appeal and Petition for Extension of Time to appeal the final rejection dated July 8, 2003. Applicants hereby elect to withdraw the appeal and to reopen prosecution of the application before the examiner by filing the attached Request for Continued Examination (RCE). 37 C.F.R. §1.114(d). Accordingly, Applicant submits this Response under 37 C.F.R. §1.111 intended to be fully responsive to the final rejection dated July 8, 2003. 37 C.F.R. §1.114(c). Applicants also submit an Information Disclosure Statement for consideration by the Examiner concurrently herewith.

A petition for a three month extension of time is enclosed with this Response. If additionally time is needed, Applicants hereby petition for the extended time period. Should an additional fee be due, please charge Deposit Account Number 23-0455.

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In view of the following, Applicants submit that the Application is now in condition for allowance and reconsideration is respectfully requested.

**Amendments to the Claims** are reflected in the listing of claims which begins on page 3 of this paper.

**Remarks** begin on page 6 of this paper.